

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
ALEXANDRIA DIVISION

KEVIN DEJUAN MCKINNEY  
#529796,  
Plaintiff

CIVIL DOCKET NO. 1:22-CV-00382  
SEC P

VERSUS

JUDGE DRELL

DUSTIN DAVIS, *ET AL.*,  
Defendants

MAGISTRATE JUDGE PEREZ-MONTES

J U D G M E N T

For the reasons contained in the Report and Recommendation of the Magistrate Judge previously filed herein (ECF No. 11), noting the absence of objections thereto, and concurring with the Magistrate Judge's findings under the applicable law;

IT IS ORDERED that Plaintiff's claim for monetary damages for wrongful arrest and imprisonment is hereby STAYED, pending the outcome of his criminal proceedings, in accordance with the following conditions:

- a. Within thirty (30) days of the date the state court criminal proceeding has concluded, Plaintiff SHALL FILE a motion asking this Court to lift the stay. The action will proceed at that time, absent some other bar to suit. *See Wallace v. Kato*, 549 U.S. 384 (2007).
- b. If the criminal proceeding is not concluded within six (6) months, Plaintiff SHALL FILE, six (6) months from the date of this judgment, a status report indicating the expected completion date of the proceeding. Additional status reports shall be filed every six (6) months thereafter until the stay is lifted.

Considering the stay, this case is **ADMINISTRATIVELY CLOSED** until further order of the Court. **IT IS ORDERED** that Plaintiff **SHALL NOT** file any more documents related to his claims excepted as directed in this Judgment.

**THUS, DONE AND SIGNED** at Alexandria, Louisiana, this 19<sup>th</sup> day of May 2022.

A handwritten signature in black ink, appearing to read 'Dee D. Drell', is written over a horizontal line.

**DEE D. DRELL SENIOR JUDGE  
UNITED STATES DISTRICT COURT**